



<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. 840.052.203	
Applicant(s): Whitehouse					
Serial No. 09/901,428	Filing Date 7/9/01	Examiner B. C. Anderson		Group Art Unit 2881	
Invention: <b>MULTIPOLE ION GUIDE MASS SPECTROMETRY...</b>					
<b>FAX COPY RECEIVED</b>					
<b>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</b>					
<b>SEP 3 - 2002</b>					
<b>TECHNOLOGY CENTER 2800</b>					
Transmitted herewith is an amendment in the above-identified application.					
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	85 -	34 =	51 x	\$9.00	\$459.00
INDEP. CLAIMS	15 -	2 =	13 x	\$42.00	\$546.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$1,005.00</b>
<input type="checkbox"/> No additional fee is required for amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. 02-2105 in the amount of A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105 A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Signature				Dated: September 3, 2002	
Peter L. Berger, Esq. Reg. No. 24,570 Levisohn, Lerner, Berger & Langsam, LLP 757 Third Avenue, Suite 2500 New York, New York 10017 Phone (212) 486-7272 Fax (212) 486-0323					
I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.					
Signature of Person Mailing Correspondence					
Typed or Printed Name of Person Mailing Correspondence					
CC:					

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 840.052.203
Applicant(s): Whitehouse			
Serial No. 09/901,428	Filing Date 7/9/01	Examiner B. C. Anderson	Group Art Unit 2881
Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY....			
<div style="text-align: right;">FAX 60PM RECEIVED SEP 3 - 2002 TECHNOLOGY CENTER 2800</div> <p>I hereby certify that this <u>Amendment to Provoke Interference and transmittal letter</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9318</u>)</p> <p>on <u>September 3, 2002</u> (Date)</p> <div style="text-align: right;"><u>Wanda Ruggiera</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</div> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

6/B  
9/5/02  
D. Bell

CJM  
9/3/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: C. M. Whitehouse  
Serial No. 09/901,428  
Filed : July 9, 2001

September 3, 2002

Examiner: B. C. Anderson  
Art Unit: 2881

For: Multipole Ion Guide Mass Spectrometry...

Attorney Docket No. 840.052.203

**VIA FAX (703) 872-9318**

Hon. Commissioner of Patents & Trademarks  
Washington, D.C. 20231

**AMENDMENT TO PROVOKE INTERFERENCE UNDER 37 CFR 1.607  
AND IN RESPONSE TO THE OFFICIAL ACTION OF JUNE 11, 2002**

Sir:

09/05/2002 RGRADEN 00000000 09/05/2002 09/05/2002  
01 FC:202 504.00 CH  
02 FC:204 more impo

This amendment includes a response to the outstanding Official Action and, more importantly, includes proposed counts and claims corresponding to such counts

that have been copied from US Patent 6,285,027 for purposes of provoking an interference. The claims corresponding to the proposed counts are presented in this pending application within one year of the issue date of the '027 patent. Claims 1-6 copied from the '027 patent have been added as new claims 115-120.

For purposes of provoking the interference, one count is a copy of claim 1 of the '027 patent. Three additional proposed counts are submitted. We also present tables showing the conflicting subject matter relating to the elements of the claims taken from the '027 patent as well as claims from this pending patent application.